

National Bomb Squad Commanders Advisory Board
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Testimony of Stan Mathiasen

Chairman

National Bomb Squad Commanders Advisory Board

BACKGROUND

The National Bomb Squad Commanders Advisory Board (NBSCAB) was formed in 1998 (under the auspices of the FBI Bomb Data Center BDC) by popular vote of U.S. State and Local Bomb Squad Commanders.

The board is composed of twelve elected state and local bomb squad commanders from the four FBI reporting regions in the US and its territories. Three members are elected from each region, with one new member from each region elected yearly.

NBSCAB represents all 458 accredited state and local bomb squads, and over 2600 certified bomb technicians.

Several Federal Agencies are liaison members including ATF, FBI, NIJ, and DHS.

NBSCAB is tasked to set standards for accreditation of bomb squads, certification of bomb technicians, review and recommendation of training curriculum, and review and guidance regarding research and development of new tools and equipment. NBSCAB is recognized as the sole voice on matters concerning accredited state and local bomb squads.

PROPOSED MAGAZINE SECURITY LEGISLATION

State and Local Bomb Squads are aware of their responsibility to provide security for their explosive storage magazines and to comply with all applicable federal, state, and local laws governing storage of explosives.

NBSCAB in conjunction with the International Association of Bomb Technicians and Investigators (IABTI) has notified bomb squad commanders

via letter (April 2005) to examine their security measures to ensure they are in compliance with applicable laws, to keep a current and accurate inventory of stored explosives, to improve security measures if needed, and to avail themselves of voluntary magazine inspections provided by ATF. I have provided a copy of this letter, and would ask to have it entered in the records of these proceedings.

NBSCAB is not opposed to increasing security requirements for magazine security, however we have several concerns:

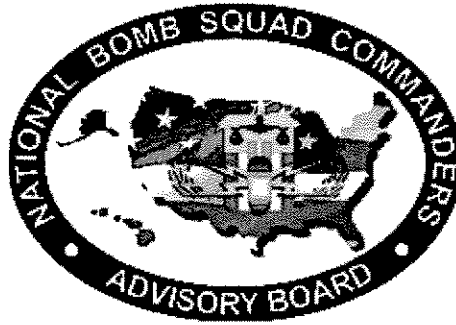
State and Local public entities are required to comply with current ATF (as well as any state and local) requirements for storage of explosives. Adding new federal requirements for lights, alarms, fences, and other security measures will place additional compliance burdens on public safety agencies not required of federal agencies, or the private sector.

Any requirement for mandatory inspection by ATF may be problematic for state and local bomb squads, in that not only are explosives stored in magazines, but explosive related evidence in criminal cases are stored there as well.

The offer by the federal government to pay for additional security measures through Homeland Security Grants, mentioned in the draft legislation, while attractive, may present a situation where the bomb squad will receive only those funds necessary to provide additional magazine security, and will not enhance their response capability. With the competition for grant funds among local agencies great, I fear this requirement may actually decrease the ability of bomb squads to obtain needed equipment. It may set up a situation where grant administrators are required to spend funds on magazine security in lieu of response equipment.

Bomb squads are on the front line in the response to terrorism in the United States and it is imperative that there be no degradation of operational response capabilities in these critical incidents. While this proposed legislation stands to provide some limited benefit to public safety through the addition of extra layers of security for stored explosives, there is a real danger that this benefit will be offset by a higher risk to the public through a potential diversion of funds for critical operational resources.

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Chairman NBSCAB



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April 19, 2005

Dear Bomb Squad Commanders:

Members of the United States House of Representatives have recently conducted hearings on the issue of federal and state guidelines for the storage, monitoring and protection of explosive materials. These hearings focused on the potential terrorist threat and adequacy of safeguards and security measures for publicly managed explosive storage facilities, to include bomb squad explosive storage magazines. Congressman Tom Lantos summarized their concerns by saying, "Explosives stored at public facilities are a real target of opportunity for terrorists and other criminals. We must learn from the recent theft of explosive material in San Mateo and San Francisco in order to improve and protect our communities...the point is to minimize the risk that such a problem will occur here or elsewhere in the future."

Regardless of any legislation that may follow these hearings, the National Bomb Squad Commanders Advisory Board (NBSCAB), in conjunction with the International Association of Bomb Technicians and Investigators (IABTI) are urging all Bomb Squad Commanders to make an extra effort at this time to ensure that all bomb squad explosive storage magazines are as secure as possible from terrorist and criminal attack. We recognize the importance of the work being done through these Congressional hearings and believe that as commanders of U.S. bomb squads, who are responsible for reacting to terrorist bombings in the U.S., you will also stand with us in a demonstration of solidarity on this critical issue.

Actions we are recommending all bomb squads take at this time include:

1. Review and ensure your explosives magazine storage facility(s) are in compliance with Title 18, U.S.C., and CFR 27, Part 555.
2. Conduct a realistic assessment of the adequacy of security measures in place on your explosives storage facility and determine whether additional security measures are required, such as video monitoring, extra fencing, alarms, etc.

3. Ensure that you maintain a complete, accurate, and current inventory, of all explosives in your possession.
4. Examine the quantity of explosives stored by your organization, and ensure it is relevant for your needs.

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) is continually reevaluating the procedures and practices regarding the safe and effective administration of Title XI of the Organized Crime Control Act of 1970 and the newly enacted Safe Explosives Act of 2002. The purpose of this is not to burden bomb squads, who are involved with the safe and secure storage of explosives, but to do everything they can to protect the general public from criminal activities. While it is understood that we, as state and local public safety agencies, may enjoy some exemptions from criminal prosecution for violations of some Title 18, Federal Explosives Laws, we are not exempt from the laws dictating the storage of explosives material.

ATF is exploring the means to gather information on all law enforcement magazines currently in use. We encourage you to give ATF your full cooperation with this effort. Additionally, we recommend your squad participate in the voluntary magazine inspection program available from ATF. You may coordinate this by contacting your local ATF field office.

As members of the bomb squad community, we strive to act with the highest possible integrity. It is our goal to prevent and deprive terrorists and criminal elements the opportunity to acquire explosive materials in furtherance of their activities. Therefore, we ask you to join with us in this proactive counterterrorism offensive and take all reasonable steps to secure your explosives and meet this initiative.

Sincerely,

Stan Mathiasen

Stan Mathiasen
Chairman, NBSCAB

Barney T. Villa

Barney T. Villa IABTI
International Director